

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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NICHOLAS KYLE MARTINO,

1:21-cv-0037 (NLH)

Petitioner,

MEMORANDUM OPINION & ORDER

v.

UNITED STATES OF AMERICA,

Respondent.

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APPEARANCES:

Nicholas Kyle Martino  
106 B Hurffville-Grenloch Road  
Sewell, NJ 08080

Petitioner pro se

Philip R. Sellinger, United States Attorney  
Sara Aliya Aliabadi, Assistant United States Attorney  
Office of the U.S. Attorney  
401 Market Street  
4th Floor  
P.O. Box 2098  
Camden, NJ 08101

Counsel for Respondent

**HILLMAN, District Judge**

WHEREAS, Petitioner Nicholas Kyle Martino filed a motion to correct, vacate, or set aside his federal sentence under 28 U.S.C. § 2255, ECF No. 1; and

WHEREAS, on June 23, 2022, Petitioner filed a motion for an order to show cause stating that his former counsel, Robert

Wolf, had not complied with a Court Order directing him to provide certain documents to Petitioner, ECF No. 38; and WHEREAS, the Court ordered Wolf to respond to Petitioner's motion, ECF No. 39; and

WHEREAS, Wolf filed a letter indicating "the requested documents from the contents of Counsel's Nicholas Martino file were sent to Mr. Martino by regular and certified mail" on July 18, 2022, ECF No. 40,

THEREFORE, IT IS on this 20th day of July, 2022 ORDERED that Petitioner's motion for an order to show cause, ECF No. 38, be, and hereby is, dismissed as moot; and it is further

ORDERED that Petitioner may file any supplemental brief and appendix by August 19, 2022. The United States may file a response to the supplement by September 23, 2022; and it is finally

ORDERED that the Clerk of the Court shall serve a copy of this Order on Petitioner by regular mail.

At Camden, New Jersey

s/ Noel L. Hillman  
NOEL L. HILLMAN, U.S.D.J.